

SEP 12 2005

BEFORE THE DEPARTMENT OF INSURANCE
STATE OF NEBRASKA

CAUSE NO. C-1534

JURISDICTION

- ## STIPULATIONS OF FACT

1. The Department initiated this administrative proceeding by filing a petition styled State of Nebraska Department of Insurance vs. Donald Grantham, Cause Number C-1534 on August 17, 2005. A copy of the petition was served upon the Respondent at the Respondent's address registered with the Department by certified mail, return receipt requested.
2. Respondent violated Title 210 NAC Ch. 19 §§007.01, 008.01 as a result of the following conduct:

- a. On March 3, 2005, Respondent received an application for life insurance from their agent, Donald Grantham (Grantham). Respondent's policy replaced the former life insurance policy issued by New York Life for Dennis L. Hullman.
- b. In the Notice Regarding Replacement the Agent's signature is left blank.
- c. Respondent admitted, in a letter dated April 28, 2005 to Cynthia J. Williamson, Insurance Investigator for the Nebraska Department of Insurance, that the replacement form was not signed due to a "processing error." A copy of the replacement, without the signature was sent to New York Life.
- d. Grantham, in a May 9, 2005, issued a statement through Sentry Insurance that the "Sentry Life Home Office failed to return the form to me for my signature before proceeding with the processing of the application."
- e. In a letter dated May 10, 2005 to Williamson, Respondent admitted that the home office staff neglected to return the illustration and replacement forms for Grantham's signature.

3. Respondent was informed of his right to a public hearing. Respondent waives that right, and enters into this Consent Order freely and voluntarily. Respondent understands and acknowledges that by waiving his right to a public hearing, Respondent also waives his right to confrontation of witnesses, production of evidence, and judicial review.

4. Respondent admits the allegations contained stated in Paragraph #2 above.

CONCLUSIONS OF LAW

Respondent's conduct as alleged above constitutes a violation of Title 210 NAC Ch. 19 §007.01 and §008.01.

CONSENT ORDER

It is therefore ordered by the Director of Insurance and agreed to by Respondent, ~~Donald~~ ^{*Donald*} Grantham, that ~~he~~ ^{*he*} shall pay an administrative fine of \$1500. The fine shall be paid in total within thirty days after the Director of the Department of Insurance affixes his signature to this document

and approves said consent agreement. The Department of Insurance will continue to retain jurisdiction over this matter and shall prosecute any other violations for failure to comply with this Consent Order. In witness of their intention to be bound by this Consent Order, each party has executed this document by subscribing their signature below.



Martin W. Swanson, #20795
Attorney for Nebraska
Department of Insurance
941 "O" Street, Suite 400
Lincoln, Nebraska 68508
(402)471-2201

Sentry Life Insurance Company
by 

Senior Director Life & Annuities
Respondent KEVIN P. CASTLES

09/06/05


Date

8 September 05
Date

State of Wisconsin)
County of Portage) ss.

On this 6TH day of September, 2005, Kevin P. Castles on behalf of Respondent, Sentry Life Insurance Company, personally appeared before me and read this Consent Order, executed the same and acknowledged the same to be his voluntary act and deed.




Notary Public Commission: 05-02-07

I hereby certify that the foregoing Consent Order is adopted as the Final Order of the
Nebraska Department of Insurance in the matter of State of Nebraska Department of Insurance vs.
Sentry Life Insurance Company, Cause No. C-1534.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE



L. TIM WAGNER
Director of Insurance

September 13, 2005
Date

CERTIFICATE OF SERVICE

I hereby certify that a copy of the executed Consent Order was sent to the Respondent, at
1800 North Point Drive, P.O. Box 8027, Stevens Point, WI 54481-8027, by certified mail,
return receipt requested on this 13th day of September, 2005.

